PC8626BJTJ

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450 Alexandria, VA 22313-1450 on this Aday of Service as first-class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450 Alexandria, VA 22313-1450 on this Aday of Service as first-class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450 Alexandria, VA 22313-1450 on this Aday of Service as first-class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450 Alexandria, VA 22313-1450 on this Aday of Service as first-class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450 Alexandria, VA 22313-1450 on this Aday of Service as first-class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450 Alexandria, VA 22313-1450 on this Aday of Service as first-class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450 Alexandria, VA 22313-1450 on this Aday of Service as first-class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450 Alexandria, VA 22313-1450 on this Aday of Service as first-class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450 Alexandria, VA 22313-1450 on this Aday of Service as first-class mail in an envelope addressed to: Commissioner for Patents and Commissioner for

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TECH CC: 0 6 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE DIVISIONAL APPLICATION OF: William J. Curatolo, et al.

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: EXAMINER: R. Dewitty

FILED: May 22, 2000

SERIAL NO.: 09/577,059

: ART UNIT: 1616

FOR: Controlled-Release Dosage Forms of Azithromycin

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. § 1.97 ET SEQ.

Applicant(s) herein make(s) available to the U.S. Patent and Trademark Office a copy of PTO-FB-A820 which lists the references cited by the applicant(s), copies of which are enclosed.

The Examiner is requested to consider carefully the complete text of these references in connection with the examination of the above-identified application in accord with 37 C.F.R. § 1.104(a). It is believed the Examiner will concur with applicant's belief that the subject matter presently claimed is neither anticipated nor rendered obvious by the foregoing references.

It is requested that the references listed on the attached form PTO-FB-A820 be included in the "References Cited" portion of any patent issuing from this application (M.P.E.P. § 1302.12).

The Commissioner is hereby authorized to charge the sum of \$180.00 to Deposit Account No. 16-1445 to cover the cost of this submission in accordance with 37 CFR 1.97(c) and 1.17(p). The Commissioner is further authorized to charge any additional fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment, to Account No. 16-1445.

A prompt and favorable response is earnestly solicited.

Respectfully submitted,

Date: 5 8 24, 2003

Attorney for Applicant(s)

Reg. No. 30,561

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(Use several sheets if necessary) ATTY. DOCKET NO. PC8626BJTJ SERIAL NO. 09/577,059 APPLICANT William J. Curatolo, et al. FILING DATE May 22, 2000 Page 1 of 1 **GROUP** 1616 **U.S. PATENT DOCUMENTS** EXAMINER INITIAL DOCUMENT NUMBER NAME SUBCLASS **FOREIGN PATENT DOCUMENTS** DOCUMENT NUMBER DATE COUNTRY CLASS SUBCLASS TRANSLATION YES NO OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) Fiese, et al., Jml of Antimicrobial Chemotherapy, 1990, 25, suppl. A, pgs 39-47 Anie, et al., Intrnl Jml of Pharmaceutics, 76, 1991, pgs 183-185 Khosla, et al., Intrnl Jml of Pharmaceutics, 62, 1990, pgs R9-R11 Knutson, et al., The Am Jrnl of Gastroenterology, 1989, vol. 84, no. 10, pgs 1278-1284 Jobin, et al., Br. J. Clin. Pharmac, 1985, 19, pgs 97S-105S Blankenhom, Socl. Exp. Boil. Med, 1955, 88, pgs 356-362 Graffner, et al., Pharm Research, vol. 7, no. 1, 1990, pgs 54-58 Fischer, et al., Pharm Research, vol. 4, no. 6, 1987, pgs 480-485 Welling, P., 1986, ACS Monograph 185, American Chemical Society, pp. 173-178 Langenbucher, et al., Br. J. Clin. Pharmac, 1985, 19, pgs 151S-162S **EXAMINER DATE CONSIDERED** EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.